

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BRENDAN SULLIVAN,

Plaintiff,

Civil Action No.:  
22-cv-5675

v.

SUNG KOOK (“BILL”) HWANG,  
ARCHEGOS CAPITAL MANAGEMENT, LP,  
ARCHEGOS CAPITAL MANAGEMENT, LLC, THE  
GRACE AND MERCY FOUNDATION, INC.,  
ARCHEGOS FUND LP, EWM LLC, d/b/a EWM  
GLOBAL, ANDY MILLS, DIANA PAE, BRIAN  
JONES, SCOTT BECKER, and PATRICK HALLIGAN,

**NOTICE OF  
MOTION**

Defendant.

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PLEASE TAKE NOTICE that, upon the accompanying declaration of Joseph B. Schmit, dated November 21, 2023, with exhibits; and the supporting memorandum of law dated November 21, 2023, Defendant will move this Court before the Hon. Paul G. Gardephe, United States District Judge, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, on a date and time to be set by the Court for an Order:

1. Pursuant to Federal Rule of Civil Procedure 12(b)(6), to dismiss the Amended Complaint of Plaintiff, Brandon Sullivan, on the ground that it fails to state a claim upon which relief may be granted; and
2. Granting such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's Order dated October 18, 2023, Plaintiff shall file a response by December 19, 2023, and Defendants shall file a reply by January 3, 2024.

Dated: New York, New York  
November 21, 2023

PHILLIPS LYTLE LLP

By: /s/ Joseph B. Schmit  
Joseph B. Schmit  
Trent J. Citarella  
Eric Robert Freiman

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